APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/328,607	06/09/1999	SWARUP ACHARYA	ACHARYA3-6-8	7017

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EXAMINER
SINGH, RACHNA

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 07/31/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	**Applicant(s)**
Office Action Summary	09/328,607	ACHARYA ET AL.
	Examiner	**Art Unit**	
	Rachna Singh	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>09 June 1999</u> .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-32</u> is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-32</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1.   This action is responsive to communications: application, filed 6/9/99.

2.   Claims 1-32 are pending in the case. Claims 1, 17, 21, 25, 28, and 30 are

independent claims.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Rose, US Patent 6,085,199, 6/4/00.

In reference to independent claim 1, Rose discloses a method of reporting

multiple files in various formats for a single file in storage in a network file system. Rose

teaches a "Directory" function which calls the file system to list all of the files in the

directory upon coming across a file with multiple formats (compare to *"generating a*

menu of options, at the client computer, in response to a user's selection of a

multilink to a plurality of files"). Rose teaches that in surfing the Internet, many files

having a plurality of formats are available (i.e. an audio file can be available in a .wav

format or .mid format). Rose's invention teaches a method in which the user is

presented with a listing of the files indicating the format in which the file can be

delivered from the server. Upon the user's selection of a particular format, the user

judges which site or webpage to navigate to (compare to *"transmitting, from the*

client computer, a request for a user-selected file associated with a user-selected

option"). See columns 1-6. Rose's invention does not mention a "multilink"; however,

Applicant has defined multilink as "logical point of access to multiple files that is not

directly related to a particular physical reference". Rose teaches using the directory as

a method of reporting multiple virtual (no physical reference) files in various formats for

a single native file. See abstract. It would have been obvious to one of ordinary skill in

the art at the time of the invention to utilize a "multilink" since it is simply a point of

access to multiple files as taught by Rose.

In reference to claim 2, Rose teaches a listing of a variety of file formats in which

the file has a different hyperlink stemming from the point of access. See column 4 in

which Rose teaches that a user clicks on the hyperlink to link to a particular file. See

column 3, lines 60-65 in which the selection made by the user will determine what

webpage of link the user will navigate to. Rose's files in the various formats do not

actually exist; however, the server is able to download the selected file in an appropriate

format for execution thus having a unique electronic address associated with the files. It

would have been obvious to one of ordinary skill in the art at the time of the invention to

provide a unique electronic address with each option since it was well known in the art

to download the file 'on the fly' from an internet address over the Network system.

In reference to claim 3, Rose teaches a method in which the user selects one of

a variety of format options available upon which the appropriate file is transmitted. See

columns 1-6.

In reference to claim 4, in Rose's system, the server determines which format was chosen and downloads the selected file accordingly. See column 5.

In reference to claim 5, Rose teaches a single file comprising a plurality of file formats from which the files can be accessed. See abstract and columns 1-6. The files are all linked to a hyperlink or electronic address on a server. See column 5.

In reference to claims 6 and 7, the directory of options is generated by calling the file system to list all files and for each real file, creating an option. See figure 4 and column 5, lines 17-26. It would have been obvious to one of ordinary skill in the art to provide an electronic address associated with these files since they are located on a server. Moreover, it would be obvious to one of ordinary skill in the art to utilize a program to identify the files in the file system since a program is utilized to execute certain functions within a computer.

In reference to claim 8, it would be obvious to one of ordinary skill in the art at the time of the invention to implement the program using any programming language including that of Javascript.

In reference to claim 9, Rose's invention teaches generating a list of menu options upon coming across a native single file with a plurality of files. Thus having a program associated with the list generation would have been obvious since Rose's system does call the file system to list all the files within the single native file.

In reference to claim 10, Rose teaches a method of calling the file system to list all the files for generating a directory of options. This step is performed prior to generating the directory. See figure 4.

5.   Claims 11-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Rose, US Patent 6,085,199, 6/4/00 in view of Foley et al., US Patent 5,706,502, 1/6/98.

In reference to claims 11 and 12, it was well known in the art at the time of the

invention to utilize proxy computers within a network as a method of increasing

performance. Thus transmitting a file containing a multilink URL to a proxy computer

would have been obvious to one of ordinary skill in the art in order to save time and

expedite requests for a multilink URL that identifies a plurality of files. Rose does not

disclose appending the computer program to the file; however, Foley teaches a portfolio

file including references to a set of project files. These project files can be local to the

first computer or to a web page URL. Foley also teaches organizing executable

programs into these portfolios. Foley's invention discloses that it was well known in the

art at the time of the invention to import certain software programs to a file. See

columns 2-4. Thus it would have been obvious to one of ordinary skill in the art at the

time of the invention to append the computer program to the file as taught by Foley to

the system of generating a directory of files as taught by Rose since Foley's system

allows a user to carry out various functions using program code such as the claimed

generation of a menu.

In reference to claims 13 and 14, Foley teaches transmitting the file to the first

computer (client computer). See columns 2-3. The rest of claims 13 and 14 are

rejected under the rationale used above in reference to claims 11 and 12.

In reference to claim 15, Rose's directory consists of hyperlinks associated with

various file formats. See column 4.

In reference to claim 16, Rose teaches a single native file that is linked to a plurality of files in different formats, thus the menu of options comprises of a "multilink" in the sense that it contains a logical point of access to a plurality of links.

In reference to claims 17, 21, 28, and 30, Rose discloses a client computer for calling for a listing of all files in order to generate a directory. See rejection for claim 7 above. Rose does not teach appending the first computer program to a file transmitted by the servicing computer; however, Foley teaches a portfolio file including references to a set of project files. These project files can be local to the first computer or to a web page URL. Foley also teaches organizing executable programs into these portfolios. Foley's invention discloses that it was well known in the art at the time of the invention to import certain software programs to a file. See columns 2-4. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to append the computer program to another computer program as taught by Foley to the system of generating a directory of files as taught by Rose since Foley's system allows a user to carry out various functions using program code such as the claimed generation of a menu.

In reference to claims 18 and 22, Foley's computer is implemented in a network environment which consists of a server. Thus assembling the programs from the components of various Internet nodes would be done on a server computer. See columns 1-4.

In reference to claims 19 and 23, it is well known in the art to utilize a proxy computer to expedite the request between a client and server computer thus using a

proxy computer for relaying the communication would have been obvious to one of ordinary skill in the art at the time of the invention.

In reference to claims 20, 24, 29, and 31, Foley teaches a method in which the user can import certain software programs for execution with a file. It would have been obvious to one of ordinary skill in the art at the time of the invention to append the computer program to certain types of files such as those containing multilink URLs since the user can specify which files should have the computer program appended to them.

In reference to claim 25, Rose discloses a computer in which a program is used to generate a directory of files available upon the user's selection of a native file consisting of a plurality of files. Upon the user's choice, the file is obtained for presentation to the user. See columns 1-6. See rejection for claim 1 above. It would have been obvious to one of ordinary skill in the art at the time of the invention to employ a computer program for executing both of these steps.

In reference to claims 26 and 27, Foley teaches a method in which the user can import certain software programs for execution with a file. It would have been obvious to one of ordinary skill in the art at the time of the invention to append/embed the computer program to certain types of files such as those containing multilink URLs since the user can specify which files should have the computer program appended to them.

In reference to claim 32, Rose discloses a network server computer for accessing files and providing program execution to the individual computers. See column 1.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

US Patent 6,035,330   Astiz et al.

US Patent 6,408,296   Acharya et al.

US Patent 5,867,162   O'Leary et al.

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Rachna Singh at 703.305.1952. The examiner can

normally be reached on Monday-Friday from 8:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Heather Herndon, can be reached at 703.308.5186.

Any inquiry of a general nature or relating to the status of this application should

be directed to the Group receptionist whose telephone number is 703.305.3900.

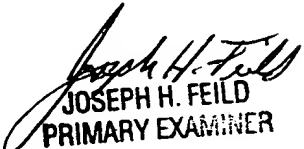**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

After-Final   703.746.7238
Official   703.746.7239
Non-Official/Draft   703.746.7240

Hand-Delivered responses should be brought to Crystal park II, 2121 Crystal Drive, Arlington VA., Sixth Floor (Receptionist).

Rachna Singh
July 25, 2002

JOSEPH H. FEILD
PRIMARY EXAMINER